

REMARKS

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 2-7, 10-16, 18, 20, and 22 and amended claims 1, 8, 9, and 17 are in this application. Claims 19 and 21 are canceled. Cancellation of claims 19 and 21 should not be construed as an agreement by Applicants with the Examiner's rejections. Applicants reserve the right to continue prosecution of any or all of these rejected claims in one or more continuation applications.

The Examiner objected to the specification because the specification does not provide proper antecedent basis for the claimed subject matter. It is respectfully submitted that the specification provides proper antecedent basis for claims 1-18, 20, and 22 as presented herein and withdrawal of the objection is respectfully requested.

Claims 1, 8, 9, and 17 were rejected under 35 U.S.C. §112, first paragraph. Claims 1, 8, 9, and 17, as presented herein are believed to be in compliance with 35 U.S.C. §112. Accordingly, withdrawal of the 112 rejection is respectfully requested.

Claims 1-3, 5, and 8 were rejected under 35 U.S.C. §102(e) as being anticipated by Bottou et al. (U.S. Patent No. 6,587,588).

Independent claim 1, as amended herein, recites in part as follows:

“...wherein said extracted partial coefficients are wavelet transform coefficients that include said specified area of every hierarchically band split band components and outside said specified area.”

It is respectfully submitted that the portions of Bottou applied by the Examiner (hereinafter “Bottou”) do not teach the above-recited feature of amended independent claim 1. Therefore amended independent claim 1 is believed to be distinguishable from Bottou.

For reasons similar to those described above with regard to independent claim 1, amended independent claim 8 is believed to be distinguishable from Bottou.

Claims 2, 3, and 5 depend from claim 1, and, due to such dependency, are also believed to be distinguishable from Bottou for at least the reasons previously described.

Claims 4, 6, and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bottou in view of Li et al. (U.S. Patent No. 6,473,528).

Claims 4, 6, and 7 depend from claim 1, and, due to such dependency, are also believed to be distinguishable from Bottou for at least the reasons previously described. The Examiner does not appear to rely on Li to overcome the above-described deficiencies of Bottou. Accordingly, claims 4, 6, and 7 are believed to be distinguishable from the applied combination of Bottou and Li.

Claims 9-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bottou in view of Lee et al. (U.S. Patent No. 5,933,535).

For reasons similar to those described above with regard to claim 1, amended independent claim 9 is believed to be distinguishable from Bottou. The Examiner does not

appear to rely on Lee to overcome the above-described deficiencies of Bottou. Accordingly, amended independent claim 9 is believed to be distinguishable from the applied combination of Bottou and Lee.

Claim 10 depends from independent claim 9, and, due to such dependency, is also believed to be distinguishable from the applied combination of Bottou and Lee for at least the reasons previously described.

Furthermore, with regard to the Official Notice, the Examiner does not cite a reference that discloses the features of claim 10. In this regard, reference is made to In re Pardo and Landau, (214 USPQ 673) in which the Court states at page 677:

“Assertions of technical facts in areas of esoteric technology must always be supported by citation to some reference work recognized as standard in the pertinent art and the applicant given, in the Patent Office, the opportunity to challenge the correctness of the assertion or the notoriety or repute of the cited reference.”

In view of In re Pardo and Landau, it is believed to be improper for the Examiner to fail to cite a reference, which specifically describes the features of claim 10.

Claims 11-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bottou and Li, further in view of Lee.

Claims 11-16 depend from claim 9, and, due to such dependency, are also believed to be distinguishable from the applied combination of Bottou and Lee for at least the reasons previously described. The Examiner does not appear to rely on Li to overcome the above-described deficiencies of the Bottou and Lee. Accordingly, claims 11-16 are believed to be distinguishable from the applied combination of Bottou, Lee, and Li.

For reasons similar to those described above with regard to claim 8 amended independent claim 17 is believed to be distinguishable from Bottou. The Examiner does not appear to rely on

Li nor Lee to overcome the above-described deficiencies of Bottou. Accordingly, amended independent claim 17 is believed to be distinguishable from the applied combination of Bottou, Li, and Lee.

Claims 18 and 22 depend from claim 17, and due to such dependency, are believed to be distinguishable from the applied combination of Bottou, Li, and Lee.

Claim 20 depends from claim 8, and, due to such dependency, is believed to be distinguishable from Bottou. The Examiner does not appear to rely on neither Li nor Lee to overcome the above-described deficiencies of Bottou. Accordingly, claim 20 is believed to be distinguishable from the applied combination of Bottou, Li, and Lee.

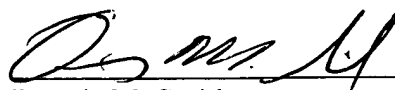
In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys of Applicants

By:



Dennis M. Smid
Reg. No. 34,930
(212) 588-0800